

Nothing can be made the basis of motion in arrest of judgment which is subject of demurrer. Act 1916, ch. 30, prohibiting sale of liquor in Washington County. *McCurdy v. State*, 151 Md. 440.

Questions raised on demurrers to indictment and plea of limitations cannot be considered on motion in arrest of judgment. *Simmons v. State*, 165 Md. 168.

### **Indictments—Conclusion of—Joinder of Counts.**

554.

In prosecution for bastardy, evidence did not show commission of rape with sufficient certainty to apply doctrine of merger, assuming that doctrine still prevails in Maryland. *Klein v. State*, 151 Md. 491.

This section referred to in construing sec. 3. *Larkins v. State*, 163 Md. 378.

### **Indictments—False Pretenses.**

555.

To third note to this section on page 1142, vol. 1, of Code, add *Simmons v. State*, 165 Md. 160.

This section referred to in sustaining indictment under art. 27, sec. 170. *State v. Coblentz*, 167 Md. 529.

Where bill of particulars, under count for obtaining money under false pretenses, failed to give the names of witnesses, held immaterial when admitted by defendant that such names were furnished him. A bill of particulars furnished as provided by this section is no part of the indictment or pleading, and if the indictment is in usual form, and not demurrable on its face, does not become so when considered in connection with bill of particulars; nor can defective indictment be made sufficient by bill of particulars. *Delcher v. State*, 161 Md. 475.

Cited but not construed in *Simmons v. State*, 156 Md. 384, 392.

### **Indictments—Forgery and False Pretenses.**

558.

Cited but not construed in *Simmons v. State*, 156 Md. 384, 392; *Simmons v. State*, 165 Md. 161, 165.

### **Indictments—Robbery, Larceny, Embezzlement, False Pretenses Relating to Money.**

559.

Bill of particulars not necessary where count charging larceny stated the day and year, the sum of money taken and its value, the name of the owner and the felonious taking from owner's possession. *Simmons v. State*, 165 Md. 160.

### **Indictments—Arson or Burning.**

560. Repealed by ch 255 of the acts of 1929.

### **Indictments—Selling Liquor.**

561.

This section referred to in sustaining indictment for violation of local liquor law for Washington County. Evidence. *Weller v. State*, 150 Md. 281.